PORSF 11.3,193,1 V.2

Foster Poultry Farms, a California Corporation 1333 Swan Street P.O. Box 831 Livingston, CA 95334 Foster Farms.

June 25, 2010

Ms. Kristine Koch Remedial Project Manager Unites States Environmental Protection Agency, Region IX Office of Environmental Cleanup, Mail Code ECL-115 1200 Sixth Avenue, Suite 900 Seattle, Washington 98101-3140

RECEIVED

JUN 2 9 2010

Environmental Cleanup Office

Subject:

Foster Poultry Farms' Response to EPA's CERCLA § 104(e) Follow-up Request

for Information Dated March 8, 2010 re Portland Harbor Superfund Site

Dear Ms. Koch:

Foster Poultry Farms responded to EPA's follow-up request for information pursuant to Section 104(e) of CERCLA seeking additional information relevant to the Portland Harbor Superfund Site on May 28, 2010. Subsequent to that submittal additional information was received by Foster Poultry Farms from the Oregon Department of Environmental Quality (ODEQ).

The enclosed documents were received from the ODEQ on June 16, 2010. The enclosures appear to be the stormwater permitting file from ODEQ for 6135 N. Basin Avenue in Portland, Oregon (the "Property"), covering the time period from 1991 to 1998 (please refer to pages FF 203 through FF 271).

Foster Poultry Farms makes this supplemental 104(e) response, updating the prior response to include the documents that were requested but not received before the prior response was submitted. The pending document request to ODEQ was described in Section 3 of Foster Poultry Farms' May 28, 2010 response and states that no documents had been received by the date of sending the response. Foster Poultry Farms has now received and is providing the ODEQ documents.

If you have any further questions or require additional information, please feel free to call me at 209-394-6934.

Sincerely,

James Marnatti

Director of Environmental Affairs

Foster Poultry Farms, a California Corporation

Attachments:

Bates-numbered documents (FF 203 to FF 271)

USEPA SF 1363383 NQ - ID #107038 Permit #1200F Mult. Co. 1991 thru 998

NWR/WQ-004 HISTORICAL FILES

'F 203

PORSF 11.3.193.1 V.2

Permit/CORRES.



Permit Number: 1200-Z Expiration Date: 6/30/2002

Page 1 of 18

# GENERAL PERMIT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORM WATER DISCHARGE PERMIT

Department of Environmental Quality 811 Southwest Sixth Avenue, Portland, OR 97204 Telephone: (503) 229-5279

Issued pursuant to ORS 468B.050 and The Federal Clean Water Act

## ISSUED TO:

All Owners Or Operators Of Storm Water Point Source Discharges That Are Covered By This Permit Issued 10-22-97 GEN12Z MULTNOMAH/NWR File No. 107038 ORR20-0116

> Foster Farms dba: Lynden Farms 6135 N Basin Ave Portland OR 97217

## SOURCES COVERED BY THIS PERMIT

Facilities identified in 40 Code of Federal Regulation (CFR) §122.26(b)(14)(i -ix, xi) with storm water discharges. Construction activities, asphalt mix batch plants, concrete batch plants and Standard Industrial Classification code 14, Mining and Quarrying of Nonmetallic Minerals, Except Fuels are excluded from this permit. These activities are regulated under separate permits.

See Table 1: Sources Covered, pages 2-3, for more information on the CFR regulated industries covered by this permit.

Michael T. Llewelyn Administrator

Water Quality Division

JULY 22, 1997

\_---

## PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate storm water treatment and/or control facilities, and to discharge storm water to public waters in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

Schedule A	-	Storm Water Pollution Control Plan, Additional Requirements, Limitations, and Benchmarks	<u>Page</u> 4-8
Schedule B	•	Monitoring and Reporting Requirements	9-10
Schedule C		Compliance Conditions and Schedules	11
Schedule D	•	Special Conditions	12
Schedule F	•	General Conditions	13

Unless authorized by another NPDES permit, all other direct and indirect discharges to public waters are prohibited.

Parmit Number: 1200-F iration Date: 9-30-96 Page 1 of 9 Pages

## GENERAL PERMIT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORM WATER DISCHARGE PERMIT

Department of Environmental Quality 811 Southwest Sixth Avenue, Portland, OR Telephone: (503) 229-5696

Issued pursuant to ORS 468.740 and The Federal Clean Water Act

ISSUED TO:

ISSUED 8-25-92

GEN12F

Multnomah/NWR OR 003498-3

File No. 107038

Belozer Farms, Inc. 6135 N Basin Avenue Portland OR 97217

SOURCES COVERED BY THIS PERMIT:

Food processing facilities under Standard Industrial Classification (SIC) Code 20, including meat products; dairy products; canned, frozen, and preserved fruits, vegetables, and food specialties; grain mill products; bakery products; sugar and confectionery products; fats and oils; beverages; and miscellaneous food preparations and kindred products.

Trejdea Daylor

SEP 2 4 1991

Date

\_

Lydia Taylor, Administrator

PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to construct water pollution control facilities and to discharge storm water to public waters in accordance with a storm water pollution control plan which has been prepared by the permittee and any other limitations specified in this permit. All discharges shall be in accordance with the attached schedules:

<u></u>	age
Schedule A - Controls and Limitations for Discharge	
Schedule B - Minimum Monitoring and Reporting Requirements.	6
Schedule C - Compliance Conditions and Schedules	7-8
Schedule D - Special Conditions	9
General Conditions Attac	hed

Each other direct and indirect waste discharge to public waters is prohibited unless covered by another NPDES permit.

This permit does not relieve the permittee from responsibility for compliance with any other applicable federal, state, or local law, rule, standard, ordinance, order, judgment, or decree.



Department of Environmental Quality

Northwest Region 2020 SW Fourth Avenue Suite 400 Portland, OR 97201-4987 (503) 229-5263 Voice TTY (503) 229-5471

July 29, 1998

Michael Motsinger Foster Farms 501 SE Columbia Shores Blvd., Suite 1000 Vancouver WA 98661

Re:

PERMIT TERMINATION

Lyden Farms File No. 107038 Multnomah County

We have received your request to terminate the permit for Lyden Farms (file no.107038). In response to your request, you are hereby notified that General Permit No. 1200C has been terminated, effective 7/21/98.

Should you have any questions about this action, please call Annie Hill at (503) 229-5438

Sincerely,

Robert P. Baumgartner Water Quality Manager Northwest Region

amh

cc:

File

Valerie Ross, DEQ/HQ

Poster Parms
P.O. Box 457
1000 Davis Street
Livingston, California 95334
Telephone 209.394.7901



Robert P. Baumgartner Manager Water Quality 2020 SW 4<sup>th</sup> Ave. Suite 400

Portland, OR 97201-4987

July 21,1998

DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 22 1998

NORTHWEST REGION

Re: Lynden Farms

ID #107038

6135 North Basin Portland, OR

Dear Mr. Baumgartner,

Foster Farms, d.b.a. Lynden Farms, currently has a 1200Z Industrial Storm Water Permit for the above facility. The plant was closed on July 10,1998. Foster Farms requests cancellation of the permit.

Thank you for your help with this matter.

Sincerely,

Michael Motsinger

Copy: WPCL

Jim Marnatti Mike Hoyt



## MICHAEL MOTSINGER Northwest Division

501 S.E. COLUMBIA SHORES BLVD., SUITE 1000 VANCOUVER, WA 98661 (360) 993-3813 • FAX (360) 993-3880

·:: .-

EJZ

A FOR A TORIES

200-2 Bomwater Analysis

107038A

Client:

MULTHOMAH CO.

Lynden Farms

Project:

Stormwater 1200-Z

Client ID: Outfall I

Lab ID:

9710-192-1

CTL Project #:

9710-192 Water

Matrix: Date Sampled:

10/30/97

Sampled By:

Client

Date Submitted:

10/31/97

Date Analyzed:

10/31-11/11/97

Method	Constituent	<u>-</u>	Result	MDL	Units	LCS Recovery
EPA 413.2	Oil & Grease	÷	7.934	0,04	mg/L	96%
EPA 150.1	pH 💈	:	7.0	•	•	
8M 2540D	Total Suspended Satids		7 19	4.0	mg/L	
EPA 6010A	Copper	•	* NED	0,0083	mg/L	101%
EPA 6010A	Lead		ND	0.04	mg/L	95%
EPA 6010A	Zinc	:	0.063	0.018	mg/L	104%

DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 29 1998

NORTHWEST REGION

ND MDL LCS None Detected at or above the method distection limit.

Method Detection Limit

Lab Control Sample ...

Jul 17'98

9:12 No.005 P.03

EJZ



200-2 Bomwater Analysis

107038A

Client:

Lynden Farms

Project:

Stormwater 1200-Z

Client ID: Outfall I

Lab ID:

9710-192-1

CTL Project #:

9710-192

Matrix:

Water

Date Sampled:

10/30/97

Sampled By:

Client

Date Submitted:

10/31/97

Date Analyzed:

10/31-11/11/97

Method	Constituent	-	Result	MDL	Units	LCS Recovery
EPA 413.2	Oil & Grease	<u>ن</u> •	· · · · · · · · · · · · · · · · · · ·	 0,04		000/
EPA 150.1	pH	:	7.0 7.0	U,U4 .	mg/L	96%
8M 2540D	Total Suspended Salids		7 19	4.0	mg/L	
EPA 6010A	Copper		* NED	0.0083	mg/L	101%
EPA 6010A	Lead	•	ND	0.04	mg/L	95%
EPA 6010A	Zinc		~0.083	0.018	mg/L	104%

DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 29 1998

**NORTHWEST REGION** 

ND MDL LCS

None Detected at or above the method detection limit.

Method Detection Limit

Lab Control Sample



Lynden Farms

Job Number: 980423S

Page Number: 2 of 5

Lab Sample ID: 980423S-1

Field ID: Outfall I

Date/Time: 04/23/98 1045 Matrix: Storm Water

EPA Category: Conventional Parameters

		Detection	Analytical	
Parameter	Method	Limit	Result	Units
pH	EPA 150.1		8.04	S.U.
Total Suspended Solids	EPA 160.2	1.	13.	mg/L
Total Oil & Grease	EPA 1664	3.	7.	mg/L
Total Petroleum Hydrocarbons	EPA 1664	3.	ND	mg/L
Polar Oil & Grease	EPA 1664	3.	6.	mg/L

ND means none detected at or above the detection limit listed.

DEPT OF ENVIRONMENTAL QUALITY
RECEIVED

JUL 29 1998



Lynden Farms

Job Number: 980423S

Page Number: 3 of 5

Lab Sample ID: 980423S-1

Field ID: Outfall I

Date/Time: 04/23/98 1045 Matrix: Storm Water

EPA Category: Metals

		Detection	Analytical	
Parameter	Method	Limit	Result	Units
Copper	EPA 200.7	0.02	0.06	mg/L
Lead	EPA 200.7	0.05	ND	mg/L
Zinc	EPA 200.7	0.02	0.09	mg/L

ND means none detected at or above the detection limit listed.

DEPT OF ENVIRONMENTAL QUALITY
RECEIVED

JUL 29 1998



Lynden Farms

Job Number: 980423S

Page Number: 4 of 5

Lab Sample ID: 980423S-2

Field ID: Outfall II

Date/Time: 04/23/98 1040 Matrix: Storm Water

EPA Category: Conventional Parameters

		Detection	Analytical	
Parameter	Method	Limit	Result	Units
рH	EPA 150.1		6.68	S.U.
Total Suspended Solids	EPA 160.2	1.	100	mg/L
Total Oil & Grease	EPA 1664	3.	5.	mg/L
Total Petroleum Hydrocarbons	EPA 1664	3.	ND	mg/L
Polar Oil & Grease	EPA 1664	3.	· ND	mg/L

ND means none detected at or above the detection limit listed.

DEPT OF ENVIRONMENTAL QUALITY
RECEIVED

JUL 29 1998



Lynden Farms

Job Number: 980423S

Page Number: 5 of 5

Lab Sample ID: 980423S-2

Field ID: Outfall II

Date/Time: 04/23/98 1040

Matrix: Storm Water

EPA Category: Metals

	•	Detection	Analytical	
Parameter	Method	Limit	Result	Units
Copper	EPA 200.7	0.02	0.04	mg/L
Lead	EPA 200.7	0.05	ND	mg/L
Zinc	EPA 200.7	0.02	0.19	mg/L

ND means none detected at or above the detection limit listed.

DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 29 1998



22 October 1997

Foster Farms dba Lynden Farms Don Easley 6135 North Basin Portland OR 97217 DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHWEST REGION

Re:

NPDES General Permit 1200Z

File No. 107038 ORR 20-0116 Multnomah County

The Oregon Department of Environmental Quality has received your application for renewal of National Pollutant Discharge Elimination System (NPDES) General Permit No. 1200L and the appropriate fees and is enclosing the requested permit. Additionally, we are enclosing a memo dated September 22, 1997 which discusses changes to the new NPDES General Permit 1200Z.

Please read the permit and the enclosed memo carefully to become familiar with the terms and conditions to which you must comply. We ask that you particularly observe the monitoring and reporting requirements outlined on pages 9 and 10 of the permit.

Should you have any questions, please contact the Northwest Region Office at 229-5552.

Sincerely,

Neil J. Mullane, Manager

Neil J. Mullane

Water Quality Source Control

Northwest Region

rcd

**Enclosures** 

cc: File

John A. Kitzhaber Governor



2020 SW Fourth Avenue Suite 400 Portland, OR 97201-4987 (503) 229-5263 Voice TTY (503) 229-5471 DEQ-1

## State of Oregon

## Department of Environmental Quality

Memorandum

To:

Holders of NPDES General Permit 1200 (D-W)

Date: September 22, 1997

From:

Rene C. Dulay

Subject:

NPDES General Permit 1200Z Renewal

On July 22, 1997, the Department of Environmental Quality renewed the National Pollutant Discharge Elimination System (NPDES) General Permit 1200 (D, F, G, H, L, M, P, R, S, T, & W). These general permits cover the facilities identified in 40CFR§122.26(b)(14)(i-ix, xi) and with storm water discharges.

You should be aware of the following changes of the new permit which are as follows:

- The previous NPDES General Permits 1200 (D, F, G, H, L, M, P, R, S, T and W) were consolidated into one NPDES General Permit 1200Z. Table I on pages 2-3 shows the sources covered by the new permit.
- The Storm Water Pollution Control Plan (SWPCP) shall be prepared by a person knowledgeable in storm water management and familiar with the facility. It does not necessarily need a registered engineer or architect to review and stamped the SWPCP. The SWPCP shall be signed according to the procedures specified in the federal regulation, 40CFR§122.22.
- If waste disposal wells will be used for surface drainage the requirements of Oregon Administrative Rules (OAR) 340-44-050 must be complied with. The wastewater that could be discharged to disposal wells is restricted to storm water only.
- Categorical industries such as cement manufacturing, steam powered electric power
  generation facilities with coal handling and storage facilities and asphalt paving and roofing
  emulsions manufacturing must meet their respective effluent limitations specified on page 7
  of the permit.
- Benchmarks are established for pollutants of concern (see page 8) for each point source storm
  water discharge. The benchmarks are guideline concentrations and not limitations. Sampling
  frequency is specified in Schedule B. If the benchmarks are not achieved the SWPCP has to
  be reviewed within 60 days of receiving the sampling results and identify additional control
  to further improve the quality of the storm water discharge.

Please read the enclosed permit and be familiar with all the conditions and requirements including the conditions emphasized above.

If you have any questions regarding the permit please contact the Northwest Region office at 229-5552

tile

# **TELEPHONE USE REPORT**Water Quality Sections - Northwest Region

Call From/To:	Michael Par	gano	Date: 3-1	18-97
Company/Title	Foster Jan	ns	Time:	50
Phone No.:	285 - 8313	} 		
County:	Mult			
SUMMARY OF C	ALL:			
And-	- Frankler ag	p. for 9	en /200-	
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	Fransfer (a	renewa		1100)
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	NA: 1 1		-/3-19	-97
Ly	nder Farus Al Foster F	Pagano Parms		
	6135 N	Basin 7217		
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#### CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICES 1200-F MONITORING REPORT

DUSTRY NAME: LUNCEN FARMS	(For City Use Only)
INDUSTRY ADDRESS: 6135 North BASIN Portland, OR. 97217	PRK 107038
SAMPLE LOCATION: Out FAIL I	1200
REPORT DUE DATE: July 1, 1997	mult. Co.

		SAMPLE DATE	SAMPLE DATE
		11-18-96	2-19-97
SAMPLE PARAMETER	MONTHLY OBSERVATIONS COMPLETED	REPORTED CONCENTRATION	REPORTED CONCENTRATION
	(Yes/No)		
Color and Foam		NONE	NONE
Oil and Grease Sheen		NONE	NONE
'рН	n/a	7.64	6.79
Oil and Grease (mg/L)	n/a	3.0	5.40
Conductivity (MHO/cm)	n/a	154	61.7
BOD <sup>5</sup> (mg/L)	n/a	27.6	18.0
COD (mg/L)	n/a	81.3	138
TOC (mg/L)	n/a	6.2	2.7
Total Suspended Solids (mg/L)	n/a	96.0	242
Ammonia Nitrogen (mg/L)"	n/a	ND	770
Residual Chlorine (mg/L)"	n/a	3.4	N.D.
Other:	n/a		
Other:	n/a		
Other:	n/a	DEPT OF ENVIR	DNMENTAL QUALITY CEIVED
Other:	n/a	.IIIN	5 1997
		NORTHWE	ST REGION

<sup>\*</sup> sample for oil and grease if sheen observed

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the system of fine and imprisonment for knowing violations.

Signature:

\_\_\_\_\_

Date: MAY 28-97

<sup>\*\*</sup> measure only if used



## 1200-F Stormwater Analysis

Client:

Lynden Farms

Project:

Stormwater

Client ID: Outfall I

Lab ID:

9702-113-1

CTL Project #:

9702-113

Matrix:

Water

Date Sampled:

02/19/97

Sampled By:

M. A. Pagano Date Submitted: 02/19/97

Date Analyzed:

02/19-03/04/97

Method	Constituent	Result	MDL	Units	LCS Recovery
EPA 350.3	Ammonia Nitrogen	1.10	0.016	mg/L	111%
SM 5210B	Biochemical Oxygen Demand	18.0	2.00	mg/L	
EPA 410.1	Chemical Oxygen Demand	138	0.32	mg/L	89%
EPA 120.1	Conductivity	61.7	0.01	µmhos/cm	
EPA 413.2	Oil & Grease	5.40	0.04	mg/L	131%
EPA 150.1	Hq	6.79		· ·	*
SM 408A	Residual Chlorine	ND	0.18	mg/L	
Colorimetric	Total Organic Carbon	2.7	0.5	mg/L	97%
EPA 160.2	Total Suspended Solids	242	0.14	mg/L	

ND None Detected at or above the method detection limit.

MDL **Method Detection Limit** Laboratory Control Sample LCS



## 1200-F Stormwater Analysis Results in mg/L (ppm), as received

Client: Lynden Farms Project Stormwater

Client ID: Outfall #1

Lab ID: 9611-094-1 CTL Project #:

9611-094

Matrix:

Water 11/18/96

Date Sampled: Sampled By:

Client

Date Submitted: 11/18/96

Data Analyzed: 11/18 - 12/06/96

Method	Constituent	Result	MDL	Units	LCS Recovery
EPA 350.2	Ammonia Nitrogen	ND	0.12	mg/L	104%
SM 5210B	Biochemical Oxygen Demand	27.6	0.32	mg/L	(6770
EPA 410.1	Chemical Oxygen Demand	81.3	0.32	ma/L	98%
EPA 120.1	Conductivity	154	0.01	µmhos/cm	•
EPA 413.2	Oil & Grease	3.0	0.04	mg/L	99%
EPA 150.1	pΗ	7.64		, •	
SM 408A	Residual Chlorine	3.4	0.18	mg/L	
Colorimetric	Tetal Organic Carbon	6.2	0.5	mg/L	95%
EPA 160.2	Total Suspended Solids	96.0	0.14	mg/L	

ND

None Detected at or above the method detection limit.

MDL

Method Detection Limit

LCS

Laboratory Control Sample

## CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICE 1200-F MONITORING REPORT

•	•	*	*	*	*	*	•	*	*
(F	201	٠,	• • •	٠.	fic		Or	٠1,	۸,

DUSTRY NAME:	Lynden Far	15		
INDUSTRY ADDRESS:	6135 Noth	Basin	Portland	OR 97217
SAMPLE LOCATION:	OutFall II			
SAMPLING DATES:	11-18-96	2-19	-97	
REPORT DUE DATE:	July 1, 1997			

		SAMPLE DATE	SAMPLE DATE
		11-18-96	2-19-97
SAMPLE PARAMETER	MONTHLY OBSERVATIONS COMPLETED	REPORTED CONCENTRATION	REPORTED CONCENTRATION
	(Yes/No)		
Color and Foam		Nove	NONE
Oil and Grease Sheen		NONE	NONE
Нд	n/a	7.11	7.47
Oil and Grease (mg/L)	n/a	2.5	1.40
Conductivity (MHO/cm)	n/a	106	97.8
BOD <sup>5</sup> (mg/L)	n/a	18.8	27
COD (mg/L)	n/a	73.2	312
TOC (mg/L)	n/a	9.8	10.6
Total Suspended Solids (mg/L)	n/a	50,0	441
Ammonia Nitrogen (mg/L)"	n/a	N.D	3.99
Residual Chlorine (mg/L)	n/a	N.D	N.D.
Other:	n/a		
Other:	n/a		
Other:	n/a	DEPARTMENT OF ENVIRONMENT	L QUALITY
Other:	n/a	192,020	
		JUN 0 5 1997,	
		NOPTO	
* sample for oil and grease if sheen observed		MORTHWEST REC	ION

sample for oil and grease if sheen observed
 measure only if used

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the system of time and imprisonment for knowing violations.

Signature:



## 1200-F Stormwater Analysis

Client: Lynden Farms

Project: Stormwater

Client ID: Outfall II Lab ID: 9702-113-2 CTL Project #:

9702-113

Matrix:

Water

Date Sampled: 02/19/97 Sampled By:

M. A. Pagano

Date Submitted:

02/19/97

Date Analyzed: 02/19-03/04/97

Method	Constituent	Result	MDL	Units	LCS Recovery
EPA 350.3	Ammonia Nitrogen	3.99	0.016	mg/L	111%
SM 5210B	Biochemical Oxygen Demand	27.0	2.00	mg/L	
EPA 410.1	Chemical Oxygen Demand	312	0.32	mg/L	89%
EPA 120.1	Conductivity	97.8	0.01	µmhos/cm	
EPA 413.2	Oil & Grease	1.40	0.04	mg/L	131%
EPA 150.1	pН	7.47		•	
SM 408A	Residual Chlorine	ND	0.18	mg/L	
Colorimetric	Total Organic Carbon	10.6	0.5	mg/L	97%
EPA 160.2	Total Suspended Solids	441	0.14	mg/L	

ND None Detected at or above the method detection limit.

MDL Method Detection Limit LCS **Laboratory Control Sample** 



## 1200-F Stormwater Analysis Results in mg/L (ppm), as received

Client: Lynden Farms
Project: Stormwater

Client ID: Outfall #2 Lab ID: 9611-094-2

CTL Project #:

9611-094

Matrix:

Water

Date Sampled: Sampled By:

11/18/96 Client

Date Submitted: Date Analyzed: 11/18/96 11/18 - 12/06/96

Method	Constituent	Result	MDL	Units	LCS Recovery
EPA 350.2	Ammonia Nitrogen	ND	0.12	mg/L	104%
SM 5210B	Biochemical Oxygen Demand	18.8	0.32	mg/L	
EPA 410.1	Chemical Oxygen Demand	73.2	0.32	mg/L	98%
EPA 120.1	Conductivity	106	0.01	umhos/cm	
EPA 413.2	Oil & Grease	2.5	0.04	mg/L	99%
EPA 150.1	pH	7.11		<b>3</b> "	
SM 408A	Residual Chlorine	ND	0.18	mg/L	•
Colorimetric	Total Organic Carbon	9.8	0.5	mg/L	95%
EPA 160.2	Total Suspended Solids	50.0	0.14	mg/L	

ND None Detected at or above the method detection limit.

MDL Method Detection Limit LCS Laboratory Control Sample

	Receive Applied File N EPA Mail I Hydro	FOR RENEWAL OF   Date Received	ONLY - BUSINESS OFFICE  ived: 30  deceived: 80  .: 7369  o.: 6353
I			
		Lynsen Farms (ABN) 4-EAGH ETKINGERMINEQUALITY	
M	<u>н</u> А	DEPT IF FINVINCIAILE AND	
$\sim$	71.		
		Foster Farms dba Lynden Farms  6135 North Basin  AUG 2 2 Relephone No.: (541) 895- Address: P. O. Box	
		Portland, Oregon 97217 Creswell,	
3		NORTHWEST REGION	
7	В.		
4		Same D. Permit Number: 1200-F	
16		E. File No.: 1070	107038
18			
		F. Primary SIC Code & Title: 201	O Meat Products
	$\prod$	II. STORM WATER DISCHARGE INFORMATION	
	λ <sub>A.</sub>	Briefly describe any activities that have been added, removed, or changed since your previous application	n:
8	3	Poultry Processing Plant	
3	4		
3	βB.	Briefly describe any changes made to the number or location of storm water outfalls or flows off your pr	roperty:
),	r,	All changes have been completed in accordance with control plan.	
2	Ġ		
outles of	lc.	Have any changes been made to cause your storm water to discharge to a different waterbody, storm system? ☐ Yes ☑ No (If "Yes", please describe:)	ewer system, or seepage
3	٠D.	Have you completed your Storm Water Pollution Control Plan?  X Yes - completed on 10-95	□ No – not
18	7	completed $\square$ No - not due until	2 110 1101
,0,	€ E.	Have you submitted storm water monitoring data to DEQ as required by your permit?	(If "No", please submit
┪		III. DISCHARGES OTHER THAN STORM WATER	
	А.	Have all non-storm water discharges to the ground or surface waters been either discontinued, permitte	d by DEQ, or discharged
1		into municipal sanitary sewer?  Yes  No  Never Existed	
- {	B.	If item 'A' above is "No", what non-storm water discharges to the ground or surface waters continue w	HOW PERMIT
		<u> </u>	7AY 2 1 100°S

Name of Legally Authorized Representative - See Instructions (Please Type or Print Clearly)

Signature

IV. SIGNATURE

I HEREBY CERTIFY THAT THE INFORMATION THAT IS INCLUDED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Date

## RENEWAL APPLICATION INSTRUCTIONS FOR NPDES GENERAL STORM WATER DISCHARGE PERMIT

### I. FACILITY INFORMATION:

- A. Enter the applicant's official or legal name and mailing address. This name will appear on the permit. It must be the legal Oregon Corporate name (e.g., Acme Products) or the legal representative of the company if the company operates under an assumed business name (e.g., John Smith, dba Acme Products).
- B. Enter the site name and address if different than item 'A'.
- C. Enter the name, phone number, and mailing address of the responsible official to contact if there are any questions about the application or the facility. This should also be the person to receive legal correspondence, renewal notices, etc.
- D. Enter the type of permit you were previously issued. This is the number (1200-A, 1200-F, etc.) located at the top-right corner of your permit face page.
- E. Enter your file number. This is the file number located on the label of your permit face page.
- F. List your facility's primary Standard Industrial Classification (SIC) Code and SIC Title. The code is a four digit number. The fitte is a general description of your business. Please check your previous application to determine your SIC Code and Title, or contact your regional DEQ storm water staff for assistance (map and telephone numbers attached).

## II. STORM WATER DISCHARGE INFORMATION:

- A. Complete as indicated.
- B. Complete as indicated.
- C. Complete as indicated.
- D. Complete as indicated. Your permit requires that you submit written notification to DEQ when your Storm Water Pollution Control Plan (SWPCP) is complete. If you have not done this, your renewal application can be used as notification if you include a completion date. If you have not completed your SWPCP, please contact your local DEQ storm water staff for assistance.
- E. Complete as indicated. Submit storm water data if necessary.

## III. NON-STORM WATER DISCHARGES:

- A. Complete as indicated. Non-storm water discharges are any discharges that are not composed entirely of rain. Such discharges include wash water, boiler blowdown, non-contact cooling water, process wastewater, etc. Your existing storm water permit does not allow non-storm water discharges.
- determine whether or not a permit is required.

### IV. SIGNATURE:

Complete as indicated.

#### DEFINITION:

### Signature Line - "Legally Authorized Representative"

- Corporation By a principal executive officer of at least the level of vice president;
- Partnership or Sole Proprietorship By a general partner or the proprietor (owner), respectively; or
- . Municipality, State, Federal, or other Public Facility By either a principal executive officer or ranking elected official.

Please return Renewal Application Fee and Application to: Department of Environmental Quality, Business Office, 811 SW 6th Avenue, Portland, OR 97204

W∮ 'ED

## RECEIVED

## DEPARTMENT OF ENVIRONMENTAL QUALITY TRANSMITTAL ADVICE

MAY 2 1 1996

STORMWATER PERMIT APPLICATIONS

WESTERN REGION - SALEM OFFICE

CK#	TRAN AMNT	FOR THE ACCOUNT OF	INV#	PJT :	#
CHECK NA	ME	REASON FOR PAYMENT		REF#	RCPT#
4767706	80.00	BORDEN CHEMICAL, INC WR			
		PERMIT RENEWAL		10125	
26629	80.00	CITY OF SWEET HOME WR			
		PERMIT RENEWAL		86840	
52-496582	80.00	EMERY WORLDWIDE AWR			
	•	PERMIT RENEWAL		107171	
48212	80.00	EUGENE F. BURRILL LUMBER CO WR			
		PERMIT RENEWAL		106859/A	
7369	80.00	FOSTER FARMS DBA LYNDEN FARMS WR			
		PERMIT RENEWAL		107038	
128663	80.00	HALL-BUCK MARINE, INC NWR			
		PERMIT RENEWAL		100025	
249150	80.00	HOLSUM FOODS - GREGG DIVISION NWK			
		PERMIT RENEWAL		103832	
5920	50.00	JOHN T. BOWERS ER			
MOUNTAIN PA	CIFIC CONSTRUCT	TION INC PERMIT TRANSFER OWNERSHIP		108570	
10697622(1)	80.00	LAMB-WESTON, INC ER	M96-0402		
		PERMIT RENEWAL	_	48780	
10697622(2)	80.00	LAMB-WESTON, INC ER CALLERY	M96-0402		
		PERMIT RENEWAL		103436	
021306	80.00	LGH TRUCKING, INC $\omega R$			
		PERMIT RENEWAL		107576	
00045914	80.00	OREGON DEPT OF TRANSPORTATION ER			
		PERMIT RENEWAL		108519/A	
18216	80.00	OREGON INDUSTRIAL LUMBER PRODUCTS $LUR$			
		PERMIT RENEWAL		107271	
12991	473.00	OREGON VENTURE L.L.C. $WR$			
WESTECH ENG		NEW PERMIT APPLICATION			
1577	300.00	P.C. DEVELOPMENT INC NWR			
RAINTREE DEV	ELOPMENT COMP	_			
30190	80.00	roseburg urban sanitary authority $\omega R$			•
		PERMIT RENEWAL		76771	
00162061	80.00	WARN INDUSTRIES NWR	M96-0409		
		PERMIT RENEWAL		107180	

WQ STORMWATER APPS

DEPOSIT SLIP # 65553

13-May-1996

Page 1 of 2

\$2,023.00

## DEPARTMENT OF ENVIRONMENTAL QUALITY TRANSMITTAL ADVICE

STORMWATER PERMIT APPLICATIONS

CK# TRAN AMNT

FOR THE ACCOUNT OF

INV#

CHECK NAME.

REASON FOR PAYMENT

REF#

83037656

80.00 WEYERHAEUSER COMPANY WR

PERMIT RENEWAL

**DEPOSIT SLIP # 65553** 

100503

2,023.00 TOTAL

**WQ STORMWATER APPS** 

\$2.023.00

13-May-1996

BINC

CORPORATION DIVISION

PAGE 1

GENERAL INQUIRY

08/23/96 8:53

331886-81 (ABN) LYNDEN FARMS

SIC 0200 AGRICULTURAL PRODUCTION-LIVESTOCK

DOR 02/17/1993

STATUS: ACTIVE

LAST ACTION: 02/01/1995 STRGHT REN

FEE \$82.00

TRACE 02/11/1995

AUTHORIZED REP (09/01/1994)

THOMAS A LEE JR 1000 DAVIS ST LIVINGSTON CA 95334

PRINCIPAL OFFICE 6135 N BASIN AVE PORTLAND OR 97217

REGISTRANT FOSTER POULTRY FARMS, INC.

232156-84

READY FOR NEXT TRANSACTION.

Salem 159.121.107.10 BINC

CORPORATION DIVISION GENERAL INQUIRY

PAGE 1 08/23/96 8:55

232156-84 (FOREGN) FOSTER POULTRY FARMS, INC.

SIC 0200 AGRICULTURAL PRODUCTION-LIVESTOCK

DOA 01/18/1991

STATUS: ACTIVE

FEE \$220.00

LAST ACTION: 01/09/1996 STRGHT REN

SOI CALIFORNIA

DURATION: PERPETUAL FED TAX ID: 94-1543499

TRACE 01/25/1996

NO NOTICE

AGENT (01/18/1991)

C T CORPORATION SYSTEM

PRINCIPAL OFFICE

520 SW YAMHILL STE 800

1000 DAVIS ST

PORTLAND OR 97204

LIVINGSTON CA 95334

003292-27

PRESIDENT

ROBERT FOX

1000 DAVIS ST

LIVINGSTON CA 95334

SECRETARY

GEORGE FOSTER

1000 DAVIS ST

LIVINGSTON CA 95334

MORE NAMES

READY FOR NEXT TRANSACTION.

Salem

159.121.107.10

BINC

CORPORATION DIVISION GENERAL INQUIRY

PAGE 1 08/23/96 9:02

232156-84 (FOREGN) FOSTER POULTRY FARMS, INC.

SIC 0200 AGRICULTURAL PRODUCTION-LIVESTOCK

STATUS: ACTIVE

DOA 01/18/1991 FEE \$220.00

LAST ACTION: 01/09/1996 STRGHT REN

DURATION: PERPETUAL FED TAX ID: 94-1543499

SOI CALIFORNIA

TRACE 01/25/1996 NO NOTICE

AGENT (01/18/1991)

C T CORPORATION SYSTEM

520 SW YAMHILL STE 800

PORTLAND OR 97204

PRINCIPAL OFFICE

1000 DAVIS ST

LIVINGSTON CA 95334

003292-27

PRESIDENT ROBERT FOX

1000 DAVIS ST

4-0

LIVINGSTON CA 95334

SECRETARY GEORGE FOSTER 1000 DAVIS ST

LIVINGSTON CA 95334

MORE NAMES

READY FOR NEXT TRANSACTION,

Salem

159.121.107.10

## FRETURN APPLICATION TO:

DEPARTMENT OF
ENVIRONMENTAL QUALITY
Business Office
811 S.W. Sixth Avenuc
Portland, OR 97204 • (503) 229-5269

## NAME CHANGE

OR

## TRANSFER OF OWNERSHIP

## FOR NPDES\* OR WPCF\*\* PERMIT

STATE OF OREGON

\*NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
\*\*WATER POLLUTION CONTROL FACILITIES

OFFICIAL DE	Q USE ONLY
Application No.:	
ile No.: 10	
Date Received:	5-13-96 48000

Jeposit no. 65553 5/13/96

A. ACTION TO BE PERFORMED								
Name Change	☑ Transfer	of Ownership	uc 20 sees					
B. PREVIOUS IN	FORMATION							
1. Belozer Farms, Inc. 4. Previous Legai Name	_6135_N. Basin_	NORT  Avenue  Site Address	hwest region					
2. 107038 3. 1205 (GEN12F)  DEQ Site ID No. Permit No.  Common name: Lynden Farms	Portland City	OR State	27217 Zip Code					
C. NEW INFOR	MATION							
1. Foster Poultry Farms, Inc. 5.		in Avenue Mailing Address						
2. Lynden Farms	Portland.	OR	97217					
New Common Name  3. Mike Pagano 503-285-8313 6.	City	State	Zip Code					
Contact Name Phone No.  6135 N. Basin Avenue	И	ew Billing Address						
Site Address Portland OR 97217		City						
City State Zip Code	State		Zip Code					
I HEREBY AUTHORIZE THE ABOVE REFERENCED NAME CHANGE.  Con to lead the presentative Title Date								
E. SIGNATURE REQUIRED FOR T	RANSFER OF OWNERS	SHIP						
PREVIOUS OF	VNER:							
			i					
I HEREBY ACKNOWLEDGE THE PENDING TRANSF	ER OF THE ABOVE RE	FERENCED PERM	ΔIT.					
I HEREBY ACKNOWLEDGE THE PENDING TRANSF	ER OF THE ABOVE RE	FERENCED PERM	Date					
	Title	FERENCED PERM						
Legally Authorized Representative	Title	<u>.</u>	Date					
Legally Authorized Representative  NEW OWNI	Title	<u>.</u>	Date					

# INSTRUCTIONS FOR COMPLETING THE NAME CHANGE / TRANSFER OF OWNERSHIP FORM

This form must be submitted AFTER the name change and/or transfer of ownership is legally made to avoid incorrect modifications of the Department's files. A standard filling fee of \$50.00 must be submitted with this form. Please make checks payable to the Department of Environmental Quality.

#### A. ACTION TO BE PERFORMED

Check the appropriate box to indicate a name change or transfer of ownership.

## B. PREVIOUS INFORMATION

- 1. Enter the previous legal name.
- 2. Enter the DEQ site identification number (also known as the facility number or file number, this number may be found on the permit label).
- 3. Enter the permit number.
- 4. Enter the site address.

## C. NEW INFORMATION

- 1. Enter the new legal name. This name will appear on the permit and must be the legal Oregon corporate name (i.e., Acme Products, Inc.) or the legal representative of the company if the company operates under an assumed business name (i.e., John Smith, dba Acme Products). The name must be a legal, active name registered with the Oregon Department of Commerce, Corporation Division (503) 378-4752, unless otherwise exempted by the Department of Commerce regulations.
- 2. Enter the common name. This is the name that the facility will be commonly referred to as. It may be the same as the legal name.
- 3. Enter the contact name and telephone number. This is the name of the person the Department will contact if there are questions about the facility.
- 4. Enter the site address. This should be the same as B4.
- 5. Enter the new mailing address for the site if it is not the same as the site address.
- 6. Enter the billing address if different than the mailing address.

#### D. SIGNATURE REQUIRED FOR NAME CHANGE ONLY

The signature of a legally authorized representative must be made before a name change is performed.

#### E. SIGNATURES REQUIRED FOR TRANSFER OF OWNERSHIP

The signatures of a legally authorized representative from the previous owner and the new owner must be obtained before the transfer of a permit is performed.

## **DEFINITION:**

#### Signature Line - "Legally Authorized Representative"

- Corporation By a principal executive officer of at least the level of vice president;
- Partnership or Sole Proprietorship By a general partner or the proprietor, respectively, or
- Municipality, State, Federal, or other Public Facility By either a principal executive officer or ranking elected official

## RETURN APPLICATION TO:

DEPARTMENT OF
ENVIRONMENTAL QUALITY
Business Office
811 S.W. Sixth Avenue
Portland, OR 97204 (503) 229-5269

## NAME CHANGE OR

## TRANSFER OF OWNERSHIP

## FOR NPDES\* OR WPCF\*\* PERMIT

STATE OF OREGON

\*NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
\*\*WATER POLLUTION CONTROL FACILITIES

OFFICIAL DEQ USE ONLY
Application No.:
ile No.: 107038
late Received:
mount Received:

	A. AL	TION TO BE	PERFORMED		
	Name Change		. п	ransfer of Ownership	
	8. P	REVIOUS INF	ORMATION		
Belozer Farms     DEQ Site ID No.		4.	6135_NBardCiry	Site Address OR State	97217 Zip Code
Common name:	Lynden Farms			Jac	Zip Code
	С.	NEW INFORM	NA I IUN		
1	New Legal Name	5.	<del></del>	Mailing Address	
	New Common Name		City	State	Zip Code
Contact Name	Phone No.	6.		New Billing Address	
4.	Site Address			City	
City	State Zip	Code	· · · · · · · · · · · · · · · · · · ·	State :	Zip Code
	D. SIGNATURE RI	EQUIRED FOR	NAME CHANG	E ONLY	
	I HEREBY AUTHORIZE T	HE ABOVE RE	FERENCED NA	ME CHANGE.	
Legally Auth	orized Representative		Title		Date
7–13–95	<u>.</u>			(NERSHIP	
To: Don	Easley S, X				
	ene Hoge on DEQ - Portland (22	29–5437)		! VE REFERENCED PERI	MIT.
Subject: File	107038; GEN12F Storm	n Water Per	mit		Date
had purchased the above permit. Prom Belozer if the enclosed transon the back. All IND-1268 if not	ed me in a phone call e facility permitted lease complete, sign this is an "ownership asfer application to so, include your paymalready done. Questi ie Schmitt at 229-543	to Belozer (including o" change), us. Instruent of Invitons on the	cunder the sign-off and return uctions are pice WQ96 transfer		

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- · Partnership or Sole Proprietorship By a general partner or the proprietor, respectively; or
- Municipality, State, Federal, or other Public Facility By either a principal executive officer or ranking elected
  official.

Remit and Make Checks Payable to:
Department of Environmental Quality
Attn: Business Office
81 I S.W. Sixth Avenue
Portland, OR 97204

13

Belozer Farms, Inc. 6135 North Basin Avenue Portland, OR 97217

INVOICE

FOR DE	Q USE	ONLY	
Date Received:		<u>.</u> .·	
Amount Received:	PAI	D	5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 -
Check No.:		1005	, , , ,

Number: W096IND-1268

Date: June 14, 1995

RMIT NUMBER	ITEM OR REFERENCE	AMOUNT DUE	DATE DUE
1205 GEN12	Annual Water Quality Compliance Determination Fee For Source 107038/A (July 1, 1995 - June 30, 1996)	المداد مستحدث والمداد والمداد والمجاورة	07/31/95
	BELOZER FARMS, INC. 6135 N BASIN AVENUE, PORTLAND		
n Lighte to go and a second	Basis For Fee Amount: 1200-1214, Stormwater runoff Total Fee:	\$228	
	* If this source is no longer operating or covered by the permit indicated, please notify DEQ in writing, attention: Darlene Hoge, Water Quality Division, 229-5437		
		5A.V.	

MOTE: Please return pink copy of this invoice with your remittance to ensure proper credit.

DEG 55 · 11/8

mark Heald 3/22

Message Deft for

Darlene do we

Darlene do persue

Med to persue

Court granature

Court granature

Court bankrupter?

Court of bankrupter?

Freuous owner filed Entrupting

CASE # 394-31786 - Juls ?

Hence contact us it A

signature from the courts is necessary

Thank-you

7-13-95

To:

Don Easley

From:

Darlene Hoge

Oregon DEQ - Portland (229-5437)

Subject:

File 107038; GEN12F Storm Water Permit

Don: You notified me in a phone call 7-10-95 that Lynden had purchased the facility permitted to Belozer under the above permit. Please complete, sign (including sign-off from Belozer if this is an "ownership" change), and return the enclosed transfer application to us. Instructions are on the back. Also, include your payment of Invoice WQ96 IND-1268 if not already done. Questions on the transfer should go to Julie Schmitt at 229-5438. Thanks!





DEPT OF ENVIRONMENTAL QUALITY RECEIVED

APR 2 2 1996

Julie Schmidt DEQ N.W. Division 2020 N. W. 4th, Suite 400 Portland, OR 97201

NORTHWEST REGION

Subject: Lynden Farms/Foster Farms
Asset Purchase Agreement

Dear Julie,

Enclosed, please find a signed copy of our Asset Purchase Agreement with the Belozers and the Trustee from the Bankruptcy Courts. I have highlighted the areas that pertain to your questions.

Please call if you need additional information.

Sincerely,

Robert Hansen Controller

RH:jj

# **ASSET PURCHASE AGREEMENT**

# **AMONG**

HAMSTREET & COMPANY
("Hamstreet")
TRUSTEE IN BANKRUPTCY FOR
BELOZER FARMS, INC.

dba Lynden Farms ("Lynden")

BELOZER POULTRY FARMS, INC. ("Belozer")

GERALD W. BELOZER: ("G. Belozer")

ROBERT H. BELOZER ("R. Belozer")

LF ENTERPRISES, INC. ("LFE")

(collectively, "Sellers")

and

**FOSTER POULTRY FARMS** 

("Purchaser")

Dated

May 25, 1994

70029107.8 5/25/94 5:00pm

# **ASSET PURCHASE AGREEMENT**

THIS AGREEMENT is dated for reference purposes as of May 25, 1994 and is by and among the following:

# **PARTIES**

HAMSTREET & COMPANY, TRUSTEE IN BANKRUPTCY FOR BELOZER FARMS, INC.	("Hamstreet")
BELOZER FARMS, INC., dba Lynden Farms, 6135 N. Basin Avenue Portland, Oregon 97217	("Lynden")
BELOZER POULTRY FARMS, INC. 2500 S. Beavercreek Road P.O. Box 350 Oregon City, Oregon 97045	("Belozer") <sub>.</sub>
ROBERT H. BELOZER, an individual residing at:	("R. Belozer")
GERALD W. BELOZER, an individual residing at:	("G. Belozer")
LF ENTERPRISES, INC. 1165 Molalla Avenue Oregon City, Oregon 97045	
FOSTER POULTRY FARMS 1000 Davis Street P.O. Box 457 Livingston, California 95334	("Purchaser")

#### RECITALS

WHEREAS, Lynden, Belozer, LFE, R. Belozer, and G. Belozer (collectively "Sellers") and Hamstreet desire to sell to Purchaser and Purchaser desires to purchase from Sellers substantially all of the assets, properties and rights which constitute Sellers' chicken hatchery, feed mill, growing, processing and sales business as more fully described in this Agreement and the Schedules hereto (the "Business"); and

WHEREAS, R. Belozer and G. Belozer (the "Shareholders") are the sole shareholders of Belozer, which is the sole shareholder of Lynden, and Shareholders and LFE desire to sell those Assets owned by them and to cause Belozer and Lynden to enter into this Agreement and to consummate the transactions contemplated hereby; and

WHEREAS, Lynden has filed a petition for reorganization under Chapter 11 of the Bankruptcy Code, 11 U.S.C. §§ 101, et seq. (the "Bankruptcy Code") which is currently pending in the United States Bankruptcy Court for the District of Oregon (the "Bankruptcy Court") as case No. 394-131786-dds11, and Hamstreet has been duly appointed the Chapter 11 Trustee of Lynden in such case; and

WHEREAS, Hamstreet also has exclusive rights to act as the representative of Sellers for purposes of marketing, identifying prospective purchasers for and negotiating the sale of the assets of Belozer, the Shareholders, and LFE and an exclusive and irrevocable option to acquire such assets under an Exclusive Asset Marketing and Option Agreement dated April 6, 1994 (the "Option Agreement").

#### AGREEMENT

NOW THEREFORE, for and in consideration of the premises and the mutual covenants and agreements contained herein, and intending to be legally bound hereby, the parties hereto agree as follows:

#### 1. SALE AND PURCHASE OF ASSETS.

- 1.1 <u>Sale and Purchase of Assets</u>. On the terms and subject to the conditions of this Agreement, on the Closing Date (as defined in Section 3.1, below), Sellers will sell, transfer, convey, assign and deliver to Purchaser and Purchaser will purchase, acquire and accept from Sellers, all right, title and interest in and to the "Assets" (as defined in Section 1.2, below), free and clear of all Encumbrances (as defined in Section 4.7, below), except as otherwise expressly assumed by Purchaser.
- 1.2 <u>Description of Assets</u>. The "Assets" are all of the assets, properties, contracts, agreements, accounts receivable, inventory, purchase orders, sales

70029107.8 5/25/94 5:00pm orders and leases of every kind, character and description, whether tangible or intangible, whether real, personal or mixed, whether accrued, contingent or otherwise, and wherever located relating to the Business as well as the goodwill of the Business, excluding only the Excluded Assets (as defined in Section 1.3, below). Without limiting the foregoing, Assets will include all of the following:

- 1.2.1 all prepayments and deposits paid by Sellers on or prior to and including the Closing Date to growers under the poultry grower (producer's) contracts identified in Schedule 4.12;
- 1.2.2 all accounts receivable of Sellers as of the Closing Date ("Accounts Receivable");
- 1.2.3 all inventory of fresh and frozen processed poultry as of the Closing Date ("Processed Inventory");
- 1.2.4 all inventories of raw materials, feed, feed ingredients, supplies and work in process on hand as of the Closing Date;
- 1.2.5 all Equipment (as such term is defined in Section 4.9, below) subject to such additions and deletions from Equipment which may occur in the ordinary course of business between the date hereof and the Closing Date;
- 1.2.6 all Real Property and Facilities (as such terms are defined in Section 4.10, below);
- 1.2.7 all grower (producer's) contracts and grower feed ingredient agreements (the "Contracts") as set forth on Schedule 4.12 as well as all contracts which may be entered into by Sellers in the ordinary course of business and with the consent of Purchaser between the date hereof and the Closing Date;
  - 1.2.8 all Permits (as such term is defined in Section 4.4, below);
- 1.2.9 all Intellectual Property (as such term is defined in Section 4.14);
- 1.2.10 all business records relating to the Business or the Assets including books of account, ledgers, financial statements, books, financial records and information, payroll and employee benefit records, inventory, maintenance and asset history records, sales records and data, customer lists, supplier lists, business studies, marketing plans, business plans, budgets and consultant reports, whether reduced to writing or stored on computer disk or tape files (or other magnetic or electronic media) or microfilm ("Business Records");
- 1.2.11 all telephone switches and telecommunications equipment and all telephone and telecopier numbers listed on behalf of the Business;

- 1.2.12 all stationery, forms, publications and other materials bearing Sellers' name or any of their trade names, but not including printed checks; and
- 1.2.13 all unliquidated claims of every kind and description that Sellers may have against any person relating to Accounts Receivable or the Contracts.
- 1.3 <u>Excluded Assets</u>. Excluded Assets will mean, and the Assets will exclude, the following:
- 1.3.1 Sellers' corporate minute books, stock books and corporate seal;
  - 1.3.2 Sellers' notes receivable, cash and cash equivalents;
- 1.3.3 Sellers' prepayments and deposits other than those specified in Section 1.2.1, above;
- 1.3.4 Seller's personal property leases and contracts not included in the Contracts;
- 1.3.5 Seller's unliquidated claims of every kind and description, including without limitation claims and causes of action belonging to Lynden's bankruptcy estate that arise under Chapter 5 of the Bankruptcy Code and claims relating to liabilities not assumed by Purchaser (but excluding those claims described in Section 1.2.13).
  - 1.3.6 Any real property not included in Schedule 4.10.
- 1.4 <u>Assumed Liability</u>. Purchaser will assume none of Sellers' obligations except with respect to the following ("Assumed Liabilities"):
- 1.4.1 Sellers' obligations arising under the Contracts after the Closing Date:
- 1.4.2 At the written election of the Purchaser no less than five days prior to Closing, Belozer's obligation to the Oregon Economic Development Commission in connection with the indebtedness incurred in the construction of the Feed Mill.
- 1.5 <u>Excluded Liabilities</u>. Except as expressly provided in Section 1.4 of this Agreement, Purchaser will not assume any of the liabilities or debts of Sellers of any nature whatsoever, whether absolute, accrued, contingent or otherwise, or whether due or to become due.

- 3.2.9 Such other documents and instruments as Purchaser may reasonably require to effectuate or evidence the transfer of all of the Assets.
- 3.3 <u>Deliveries by Purchaser</u>. At Closing, Purchaser will execute and deliver to Sellers the following instruments and other documents:
- 3.3.1 Cashier's check or wire transfer of funds payable to Hamstreet in the amount of the portion of the Purchase Price to be paid pursuant to Section 2.4.3 at Closing;
- 3.3.2 Assumption documents with respect to any Assumed Liabilities; and
- 3.3.3 Such other documents and instruments as Sellers may reasonably require to effectuate or evidence the transactions contemplated hereby.
- 3.4 <u>Possession</u>. Purchaser will take possession of and assume control over the Assets as of the Closing Date.
- 3.5 <u>Transfer Taxes and Fees Escrow.</u> Sellers will pay all sales and excise taxes, if any, incurred in connection with the transactions contemplated by this Agreement and Sellers will pay, cause to be paid or make adequate provision for the payment, when due, of all transfer taxes, recording fees or similar taxes or fees together with title insurance premiums and escrow costs owed by any party with respect to the transfer to Purchaser of the Assets except that Purchaser shall pay one-half of all escrow fees or charges.

#### 4. REPRESENTATIONS AND WARRANTIES OF SELLERS.

Hamstreet and Sellers and each of them jointly and severally represent and warrant to Purchaser as follows with the proviso that Hamstreet does not make any representation or warranties with respect to Section 4.1, 4.3(a) and with respect to Sections 4.3, 4.4, 4.9, 4.10, 4.11, 4.15, 4.16 and 4.19, does so only to its best knowledge:

- 4.1 <u>Corporate Existence</u>. Lynden, Belozer and LFE are corporations duly organized and validly existing under the laws of the State of Oregon, have the requisite power and authority to own their property and to carry on their business as now being conducted and are qualified to do business as a foreign corporation and are in good standing under the laws of each of the jurisdictions in which their business activities require such qualification.
- 4.2 <u>Authorizations and Enforceability</u>. Subject to entry of the Bankruptcy Sale Order, each of Hamstreet and Sellers has all requisite power and authority to execute, deliver and perform this Agreement and to consummate the transactions contemplated hereby. This Agreement has been duly and validly authorized,

executed and delivered by each of Hamstreet and Sellers and upon entry of the Bankruptcy Sale Order will constitute the valid and binding obligation of each of them, fully enforceable in accordance with its terms.

- Effect of Agreement. The execution, delivery and performance of this Agreement by Hamstreet and Sellers and the consummation of the transactions contemplated hereby will not, with or without the giving of notice or the lapse of time, or both: (a) violate the articles of incorporation, bylaws or any resolutions adopted by any Sellers' board of directors or shareholders; (b) violate any judgment, order, writ or decree of any court, arbitrator or governmental agency applicable to Hamstreet or Sellers; (c) have any adverse effect on any of the Assets, including any of the permits, licenses or approvals to be assigned to Purchaser pursuant to this Agreement or the ability of Purchaser to make use of such permits, licenses and approvals; or (d) result in the breach of or conflict with any term, covenant, condition or provision of, result in the modification or termination of, constitute a default under, or result in the creation or imposition of, any lien, security interest, charge or encumbrance upon any of the Assets or other properties of Sellers pursuant to any of the Contracts, the terms of any of the Assumed Liabilities or any other contract, agreement or instrument, to which Sellers are a party or by which any of the Assets or other properties of Sellers are or may be bound or affected or from which Sellers derive benefit.
- Permits and Compliance with Applicable Laws. Sellers have all 4.4 permits, licenses and approvals of governmental and administrative authorities to own, lease and operate their properties and to carry on the Business as presently conducted. All such permits, licenses, franchises, approvals, authorizations or orders of any governmental authority, whether foreign, federal, state or local, or any other person relating to the ownership or use of the Assets or the operation of the Business, material to the conduct of the business of Sellers ("Permits"), have been provided to Purchaser. To the best of Sellers' knowledge, all Permits are in full force and effect and no suspension or cancellation of any of them is pending or, to the knowledge of Sellers, threatened. Sellers' conduct of their business does not violate or infringe on any domestic or foreign law, statute, ordinance or regulation currently in effect, the enforcement of which would adversely affect the ability or prospects of Purchaser to carry on a business similar to that presently conducted by Sellers, or the ability of Purchaser to utilize the Assets in the manner in which they are presently utilized. Except with respect to judgments for monetary damages, Sellers are not in default in any respect under any executive, legislative, judicial, administrative or private (such as arbitration) ruling, order, writ, injunction or decree.
- 4.5 <u>Consents</u>. Other than receipt of the Bankruptcy Sale Order, with respect to Lynden and Hamstreet, no consent, authorization or approval of, or exemption by, or filing with any governmental, public or self-regulatory body or authority is required in connection with the execution, delivery and performance by Hamstreet or Sellers of this Agreement or any of the instruments or agreements

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

DATED this 25 day of May, 1994. HAMSTREET & CO. HAMSTREET: BELOZER FARMS, INC. dba Lynden Farms LYNDEN: By \_\_\_\_\_ BELOZER POULTRY FARMS, INC. BELOZER: By \_\_\_\_\_ LFE: L. F. ENTERPRISES, INC. R. BELOZER: ROBERT H. BELOZER G. BELOZER **GERALD W. BELOZER FOSTER POULTRY FARMS** PURCHASER:

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above written. DATED this 25 day of May, 1994. HAMSTREET & COMPANY, Trustee for LYNDEN: BELOZER FARMS, INC. dba Lynden Farms BELOZER POULTRY FARMS, INC. **BELOZER:** L. F. ENTERPRISES, INC. LFE: R. BELOZER: G. BELOZER

**FOSTER POULTRY FARMS** 

By \_\_\_\_\_

**PURCHASER:** 

# TELEPHONE USE REPORT

CALL FROM/TO: ) Marke Heald / accounting	DATE:	3/28/96
COMPANY/TITLE: Foster Poultres Farons.	TIME:	9:40
PHONE NO.: 285-8313 X3454	(Circle	for filing)
CITY: Portland COUNTY: Mult	AQ	Asbestos
Subject: <u>Gen 12F Transfer</u> :	(WO)	oss
Belozer Farms Que. to Foster Poultre	SW	HW
SUMMARY OF CALL:	General	Spill
I called Mr. Heald requesting additional documentation	in connec	tion with the
transfer app. referenced above. Belozer Farms, Inc. e	ntered int	bankruptcy
a couple of years ago, and was then sold to Foster Pou	ltry Farms	. I requested
a petition for bankruptcy by Belozer to the court, if	available,	or any other
documentation that would clearly show the ownership tr	ansfer leg	ally.
	····	
• • •		
	······	
Jalie Seh	mit	
	Signature	

RB3972 (2/86)

BINC

CORPORATION DIVISION GENERAL INQUIRY

PAGE 1 05/23/96 7:13

232156-84 (FOREGN) FOSTER POULTRY FARMS, INC.

SIC 0200 AGRICULTURAL PRODUCTION-LIVESTOCK

DOA 01/18/1991 FEE \$220.00

STATUS: ACTIVE

LAST ACTION: 01/09/1996 STRGHT REN

SOI CALIFORNIA

DURATION: PERPETUAL FED TAX ID: 94-1543499

TRACE 01/25/1996

NO NOTICE

AGENT (01/18/1991)

PRINCIPAL OFFICE

C T CORPORATION SYSTEM

1000 DAVIS ST

520 SW YAMHILL STE 800

PORTLAND OR 97204

LIVINGSTON CA 95334

003292-27

PRESIDENT

ROBERT FOX

4-9

1000 DAVIS ST

LIVINGSTON CA 95334

SECRETARY GEORGE FOSTER 1000 DAVIS ST

LIVINGSTON CA 95334

MORE NAMES

READY FOR NEXT TRANSACTION.

Salem

159.121.107.10



March 20, 1996

DEPARTMENT OF ENVIRONMENTAL QUALITY

OSN12F-10700879-MULTMOMAH Harlan Friedrichsen BELOZEF FARMS, INC. 6135 North Basin Ruenue Partland, OK 97717

Re: Storm Water Permit Renewal

Our records indicate that your present National Pollutant Discharge Elimination System (NPDES) General Storm Water Discharge Permit will expire later this year. To renew your permit, please complete the enclosed renewal application form and return it to the Department's Business Office with the required fee of \$80 (\$50 filing fee and \$30 application processing fee). If you recently applied for or received a permit, you must still submit the renewal application and fee so we can renew your permit later this year.

If you require an invoice for the fee, please contact the Department at the numbers listed below. Your application must be submitted as soon as possible but no later than your permit expiration date. If you wait until your permit expires, you will have to submit a new initial application and pay higher fees.

Please note that the renewal fee should not be confused with the annual compliance fee you are invoiced for in July. The renewal fee is used to review applications and develop modifications to the storm water permits. The annual compliance fee is used to review storm water data and conduct inspections.

You will have an opportunity to comment on a proposed permit prior to renewal. The Department will notify you by mail when this comment period opens. After the comment period closes, the Department will renew the permit. If the renewal process is not completed by your permit expiration date, your current permit will remain in effect provided we have your renewal application on file.

If you have any questions, I may be reached at (503) 299-5046 or 1-800-452-4011, toll free inside Oregon. You may also contact your local DEQ office (see names and numbers on back). Thank you for your prompt attention to this matter.

Sincerely, Ranci L. Nomma

Ranei L. Nomura Storm Water Coordinator Water Quality Division

RLN:crw SW\WC14\WC14070.Doc Enclosure: Renewal Application cc: Regional DEQ Offices



# REGIONAL STORM WATER CONTACTS

County	Name and Telephone	
Clackamas, Clatsop, Columbia, Multnomah, Tillamook, Washington	DEQ Northwest Region, Portland Paul Keiran, Storm Water Specialist Julie Schmitt, Permit Coordinator	(503)229-5937 (503)229-5438
Baker, Gilliam, Grant, Malheur, Morrow, Umatilia, Union, Wallowa, Wheeler	DEQ Eastern Region, Pendleton John Straughan, Environmental Engineer Jackie Ray, Permit Coordinator	(541)278-4608 (541)278-4605
Crook, Deschutes, Harney, Hood, Jefferson, Klamath, Lake, Sherman, Wasco	DEQ Eastern Region, Bend Walt West, Water Quality Specialist Jackie Ray, Permit Coordinator	(541)388-6146, x232 (541)278-4605
Benton, Lane, Lincoln, Linn, Marion, Polk, Yamhill	DEQ Western Region, Salem Raghu Namburi, Storm Water Specialist Jennifer Claussen, Permit Coordinator	(800)349-7677 (503)378-8240 x233 (503)378-8240 x232
Coos, Curry, Douglas, Jackson, Josephine	DEQ Western-Region, Medford Andy Ullrich, Storm Water Specialist Jennifer Claussen, Permit Coordinator	(541)776-6010 x246 (503)378-8240 x232

#### CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICES 1200-F MONITORING REPORT

9/13	XLV
'(	1000

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DEPARTMENT OF ENVIRONMENTAL OPACITY .

INDUSTRY ADDRESS: SAMPLE LOCATION:

JUL 2 4 1996

SAMPLING DATES:

INDUSTRY NAME:

REPORT DUE DATE: July 1, 1996

Northwest region

		sample date 11 ~ 13 - 95	SAMPLE DATE 4-1-96
Sample Parameter	MONTHLY - OBSERVATIONS COMPLETED	REPORTED CONCENTRATION	REPORTED CONCENTRATION
	(Yes/No)		
Color and Foam	yes .	NONE	NOWE
Oil and Grease Sheen'	yes	NONE	Nove
рн	n/a	7.75	7.68
Oil and Grease (mg/L)	n/a	1.1 mg/L	5.0 mg/L
Conductivity (MHO/cm)	n/a	194,9	79.5
BOD <sup>5</sup> (mg/L)	n/a	42 mg/L	3 mg/L
COD (mg/L)	n/a	12 mg/L	28.4 mg/L
TOC (mg/L)	n/a	0.9 mg/L	2.4 mg/L
Total Suspended Solids (mg/L)	n/a	4.00 mg/L	77.0 mg/L
Ammonia Nitrogen (mg/L)"	n/a	2.80 mg/L	ND
Residual Chlorine (mg/L)"	n/a .	N.D.	N.D.
Other:	n/a		
·			

sample for oil and grease if sheen observed

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Si	ďΩ	a	tu	re	:

7-22-96

measure only if used

#### CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICES 1200-F MONITORING REPORT

(For City Use Only)  DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
0.4 1007
JUL 2 4 1996
_

		NORTHWEST REG				
		SAMPLE DATE	SAMPLE DATE			
SAMPLE PARAMETER	MONTHLY OBSERVATIONS COMPLETED	11-13-95 REPORTED CONCENTRATION	REPORTED CONCENTRATION			
	(Yes/No)	D1	No. (C			
Color and Foam	yes	None	NONE			
Oil and Grease Sheen	Ye5	NONE	NONE			
рН	n/a	7.57	7.41			
Oil and Grease (mg/L)	n/a	N.D.	4.0 mg/L			
Conductivity (MHO/cm)	n/a	89.9 milo	73.9 milo			
BOD <sup>5</sup> (mg/L)	n/a	12.0 mg/L	21 mg/L			
COD (mg/L)	n/a	40.2 mg/L	103 mg/L			
TOC (mg/L)	n/a	4.2 mg/L	11.3 mg/L			
Total Suspended Solids (mg/L)	n/a	115 mg/L	139 mg/L			
Ammonia Nitrogen (mg/L)"	n/a	N.D.	.365 mg/L			
Residual Chlorine (mg/L)"	n/a	N.D.	.01 mg/L			
Other:	n/a		7			
Other:	n/a					
Other:	n/a					
Other:	n/a		-			
		:				

sample for oil and grease if sheen observed

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature:	Michael A agent	Date:	7-22-96	_
------------	-----------------	-------	---------	---

<sup>\*\*</sup> measure only if used



DEPARTMENT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 2 4 1996

LABORATORY ANALYSIS

NORTHWEST REGION

STORMWATER ANALYSIS 1200F

LYNDEN FARMS 6135 NORTH BASIN PORTLAND, OR 97217 LAB SAMPLE NO.:

11101-1

**SAMPLE DESCRIP.:** 

STORM OUTFALL I

MATRIX:

WATER

DATE SUBMITTED:

11/13/95

DATE ANALYZED:

11/13-29/95

**COLLECTED BY:** 

HAROLD HOLTZ

ANALYSIS METHOD NUMBER	CONSTITUENT	SAMPLE CONC.*	METHOD DETECTION LIMIT	UNITS	PERCENT RECOVERY**
EPA 350.2	AMMONIA NITROGEN	2.80	0.12	mg/l	
EPA 405.1	BIOCHEMICAL OXYGEN DEMAND	42.0	0.32	mg/l	
EPA 410.1	CHEMICAL OXYGEN DEMAND	12.0	0.32	mg/l	96.9%
EPA 120.1	CONDUCTIVITY	194.9	0.01	umhos/cm	
EPA 413.2	OIL & GREASE	1.1	0.04	mg/l	100%
EPA 150.1	pH	7.75			
408A	RESIDUAL CHLORINE	N.D.	0.18	mg/l	
LUCRIMETRIC	TOTAL ORGANIC CARBON	0.9	0.5	mg/l	105%
EPA 160.2	TOTAL SUSPENDED SOLIDS	4.00	0.14	mg/l	

\*N.D. means "not detected."

\*\*Percent Recovery values were within established control limits.

DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 2 4 1996

NORTHWEST REGION

CENTURY TESTING LABORATORIES, INC.

Reviewed and approved by:

bratery Supervisor

11/29/95



DEPARTMENT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 2 4 1996

# 1200-F Stormwater Analysis

NORTHWEST REGION

Client:

Lynden Farms

Project:

Stormwater

Client ID: Outfall #1

Lab ID:

9604-007-1

CTL Project #:

9604-007

Matrix:

Water

Date Sampled:

04/01/96

Sampled By:

Client

Date Submitted:

04/01/96

Date Analyzed:

04/01-11/96

Method	Constituent	Result	MDL	Units	LCS Recovery
EPA 350.2	Ammonia Nitrogen	ND	0.12	mg/L	99.7%
SM 5210B	Biochemical Oxygen Demand	3.00	0.32	mg/L	
EPA 410.1	Chemical Oxygen Demand	28.9	0.32	mg/L	90.4%
EPA 120.1	Conductivity	79.5	0.01	µmhos/cm	
EPA 413.2	Oil & Grease	5.0	0.04	mg/L	95%
EPA 150.1	pН	7.68		Ū	
SM 408A	Residual Chlorine	ND	0.18	mg/L	
Colorimetric	Total Organic Carbon	2.4	0.5	mg/L	99.0%
EPA 160.2	Total Suspended Solids	77.0	0.14	mg/L	
EPA 160.2	Total Suspended Solids	77.0	0.14	mg/L	

ND

None Detected at or above the method detection limit.

MDL

Method Detection Limit

Lab Control Sample (LCS) Recovery values are within established control limits

Reviewed and approved by:

Laboratory Supervisor

04/15/96

Post Office Box 1174 Bend, Oregon 97709

Phone: (541) 382-6432 FAX: (541) 388-5062

FF 256



DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUL 2 4 1996

# NORTHWEST REGION

## LABORATORY ANALYSIS

LYNDEN FARMS 6135 NORTH BASIN PORTLAND, OR 97217

LAB SAMPLE NO.:

11099 - 1

SAMPLE DESCRIP.:

STORM OUTFALL II

MATRIX:

WATER

DATE SUBMITTED: DATE ANALYZED:

11/13/95

11/13-21/95

COLLECTED BY:

HAROLD HOLTZ

ANALYSIS METHOD NUMBER	CONSTITUENT	SAMPLE CONC.*	METHOD DETECTION LIMIT	UNITS	PERCENT RECOVERY**
EPA 350.2	AMMONIA NITROGEN	N.D.	0.12	mg/l	RECOVERT
EPA 405.1	BIOCHEMICAL OXYGEN DEMAND		0.32	mg/l	
EPA 410.1	CHEMICAL OXYGEN DEMAND	40.2	0.32	mg/l	96.9%
EPA 120.1	CONDUCTIVITY	89.9	0.01	umhos/cm	
EPA 413.2	OIL & GREASE	N.D.	0.04	mg/l	84%
EPA 150.1	• Hq	7.57			
COLORIMETRIC	TOTAL ORGANIC CARBON	4.2	0.5	mg/l	105%
EPA 160.2	TOTAL SUSPENDED SOLIDS	115	0.14	mg/l	
SM 408A	RESIDUAL CHLORINE	N.D.	0.18	mg/l	

\*N.D. means "not detected."

\*\*Percent Recovery values were within established control limits.

CENTURY TESTING LABORATORIES, INC.

Reviewed and approved by:

Laboratory Supervisor

11/22/95



# DEPARTMENT OF ENVIRONMENTAL QUALIT RECEIVED

JUL 2 4 1996

# 1200-F Stormwater Analysis

NORTHWEST REGION

Client:

Lynden Farms

Project:

Stormwater

Client ID: Outfall #2

Lab ID:

9604-008-1

CTL Project #:

9604-008

Matrix:

Water

Date Sampled:

04/01/96

Sampled By:

Client 04/01/96

Date Submitted: Date Analyzed:

04/01-11/96

Method	Constituent	Result	MDL	Units	LCS Recovery
EPA 350.2	Ammonia Nitrogen	0.365	0.12	mg/L	99.7%
SM 5210B	Biochemical Oxygen Demand	21.0	0.32	mg/L	
EPA 410.1	Chemical Oxygen Demand	103	0.32	mg/L	90.4%
EPA 120.1	Conductivity	73.9	0.01	µmhos/cm	
EPA 413.2	Oil & Grease	4.0	0.04	mg/L	95%
EPA 150.1	Нq	7.41		ū	
SM 408A	Residual Chlorine	0.01	0.18	mg/L	
Colorimetric	Total Organic Carbon	11.3	0.5	mg/L	99.0%
EPA 160.2	Total Suspended Solids	· 139	0.14	mg/L	

ND

None Detected at or above the method detection limit.

MDL

**Method Detection Limit** 

Lab Control Sample (LCS) Recovery values are within established control limits,

Reviewed and approved by:

Laboratory Supervisor

04/15/96

Post Office Box 1174 Bend, Oregon 97709

Phone: (541) 382-6432 FAX: (541) 388-5062

FF 258

MULT. CO.



Professional Analytical Services

9205 SW Nimbus A Beaverton, OR 97005

Tel 503 626 7424 Fax 503 643 1460

AMIEST

Date Received: 4/12/95

Date Analyzed: 4/12/95

Date Reported: 5/1/95

Job Number: 1018 Page: 1

C

T

Mike Pagano Lynden Farms E 6135 N. Basin Ave. N Portland OR 97217

Project - Storm Water Permit 1200-F Sample Type - Water

**ANALYSIS REPORT** 

Lab Number	Client Identification			
1018	Lynden Farms			
Analysis	Results	Detection Limit	Blank	
pH (150.1)	6.8	•		
TSS (EPA 160.2)	130 mg/L (ppm)	5 mg/L	ND	
BOD (EPA 405.1)	40 mg/L (ppm)	2 mg/L		
TOC (EPA 415.1)	22 mg/L (ppm)	1 mg/L	ND	
Conductivity (EPA 120.1)	180 umho/cm	, <b>U</b>		
COD (EPA 410.4)	156 mg/L (ppm)	10 mg/L	ND	
Oil & Grease (EPA 413.2)	17 mg/L (ppm)	0.5 mg/L	ND	
Residual Chlorine (EPA)	0.07 mg/L (ppm)	0.02 mg/L	ND	
	ND = None Detected			

DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUN 2 6 1995

Reported By Kingh Kale QA Check

**Laboratory Manager** 



# **ANALYSIS REPORT**

AmTest Inc.

**Professional** Analytical Services

9205 SW Nimbus Ave Beaverton, OR 97005

Tel 503 626 7424

Fax 503 643 1460

Mike Pagano Lynden Farms

E 6135 N. Basin Ave. N Portland OR 97217

T

C

Date Received: 2/15/95 Date Analyzed: 2/15/95 Date Reported: 3/2/95 Job Number: 4602R

Page: 1

PO #60776

Project - Storm Water Permit 1200-F Sample Type - Water

Lab Number	Client Identificatio	n Tarana	
4602	Lynden Farms		
Analysis	Results	Detection Limit	Blank
pH (150.1)	7.2		
TSS (EPA 160.2)	86 mg/L (ppm)	5 mg/L	ND
BOD (EPA 405.1)	Not Taken Not ex	lough sample taken	
TOC (EPA 415.1)	3.1 mg/L (ppm)	1 mg/L	ND
Conductivity (EPA 120.1)	98 umho/cm		
COD (EPA 410.4)	26 mg/L (ppm)	10 mg/L	ND
Oil & Grease (EPA 413.2)	7.1 mg/L (ppm)	0.5 mg/L	ND
Residual Chlorine (EPA )	ND	1.0 mg/L	ND

QA Check

Laboratory Manager

RECEIVED

JUN 2 6 1995

NORTHWEST REGION



Date Received: 6/14/95

Date Analyzed: 6/14/95

Date Reported: 6/22/95

Job Number: 16535 Page: 1

AmTest Inc.

Professional Analytical Services

8205 SW Nimbus Av Beaverton, OR 97008

Tel 503 626 7424 Fax 503 643 1460

# **ANALYSIS REPORT**

C Mike Pagano I Lynden Farms E 6135 N. Basin Ave. N Portland OR 97217

T

Project - Storm Water Sample Type - Water

Lab Number

Client Identification

16535

Storm Water

**Analysis** 

Results

**Detection Limit** 

BOD (EPA 405.1)

86 mg/L (ppm)

2 mg/L

Reported By	W
QA Check	GH

Laboratory Manager DEPT OF ENVIRONMENTAL QUALITY RECEIVED

JUN 2 6 1995

F-311 S.le

Oregon

August 18, 1995

MR HARLAN FRIEDRICHSEN LYNDEN FARMS 6135 NORTH BASIN AVENUE PORTLAND OR 97217 DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHWEST REGION

RE:

WQ-Multnomah County LYNDEN FARMS

File #107038, Permit #1200-F

WQ-NWR-95-091

**NOTICE OF NONCOMPLIANCE** 

#### Dear Mr. Friedrichsen:

The laboratory results from your sampling efforts for the 1994 - 1995 monitoring period show that your facility's stormwater discharges have violated permit limitations for oil and grease. Thus you have violated Oregon Revised Statutes 468B.050(1)(a),(c) by discharging wastes, in excess of the permissive discharges specified by your permit, into waters of the state. This is a Class II violation of your permit.

Oregon Administrative Rule 340-12-041(2)(c) provides that a permittee shall not receive more than three NONs for Class II violations of the same permit within a thirty-six (36) month period without being issued a more formal enforcement action called a Notice of Permit Violation (NPV). The Department may, however, issue an NPV prior to the third NON. The Department requests your cooperation in ensuring that this violation does not recur.

This Notice of Noncompliance (NON) requires that you make an effort to determine the source(s) of this pollution and that you take steps to both reduce it and isolate it from your site's stormwater discharges. Steps that can be taken include covering materials that are being contacted by stormwater, improving housekeeping practices, placing simple stormwater treatment devices into catch basins or drainage ditches and other measures, which either remove pollutants from stormwater or limit the water's exposure to polluting materials.

Prior to your next sampling event, please communicate to the Department any changes made on site, which you anticipate will improve the quality of stormwater leaving your facility. If you cannot determine the source(s) of your violation, please advise as such in writing.

If you have any questions regarding this NON, please contact Paul Keiran at 229-5937.

Sincerely,

Neil J. Mullane, Manager

Water Quality Source Control Section

Northwest Region

John A. Kitzhaber Governor



2020 SW Fourth Avenue Suite 400 Portland, OR 97201-4987 (503) 229-5263 Voice TTY (503) 229-5471 Lynden

File:
Inden Farms
1200-F permit
Mult. Co.

Accounting Office: P.O. Box 150, Oregon City, OR 97045 Accounting Phone: (503) 656-6819 • FAX: (503) 656-1840 Processing Plant: 6135 N. Basin, Portland, OR 97217 Plant Phone: (503) 285-8313 • FAX: (503) 285-6399

Kent FAX: (206) 872-3662

JUNE 22, 1994

DEPARTMENT OF ENVIRONMENTAL QUALITY WATER QUALITY, NORTHWEST REGION 1500 SW FIRST AVE., SUITE 750 PORTLAND, OR 97201-5884

RE: ANNUAL REPORT NPDES TORM WATER DISCHARGE PERMIT FILE NO. 107038, OR. 003498-3

THE FOLLOWING DATA IS SUBMITTED AS REQUIRED BY SOTRM WATER PERMIT NO. 1200-F FOR ANNUAL REPORTING OF DISCHARGE MONITORING. SAMPLES COLLECTION WAS PERFORMED ON NOVEMBER 17, 1993 AND JUNE 6, 1994 AT MONITORING SITE NUMBER ONE, WITH RAIN EVENT OF 30 MINUTES FOLLOWING TWO DAYS WITHOUT RAIN.

PARAMETERS	SAMPLE ANALYSIS NOV. 17, 1993	SAMPLE ANALYSIS JUNE 6, 1994
PH OIL & GREASE CONDUCTIVITY BOD COD TOC AMMONIA NITROGEN RESIDUAL CHLORINE	7.88 ND 280 umhos/cm ND 4 mg/L 2 mg/L ND ND	7.41 S.U. 5 mg/L 170 umhos/cm 9 mg/L 80 mg/L 8 mg/L 2.3 mg/L
TOTAL SUSPENDED SOLIDS	4 mg/L	100 mg/L

ND=NONE DETECTED

PARAMETERS (VISUAL OBSERVATIONS)

COLOR AND FOAM: NO FOAM WAS OBSERVED DURING THE MONITORING PERIOD. COLOR OF DISCHARGE VARIED BETWEEN CLEAR AND SLIGHT DIRTY BROWN.

OIL AND GREASE SHEEN: NONE OBSERVED AT MONITORING SITE DURING MONI-TORING PERIOD.

SINCERELY,

IM KLUVER

PLANT ENGINEER, LYNDEN FARMS

cc: MIKE MCCULLAUGH
PLANT MGR. LYNDEN FARMS

JOHN HUNTINGTON CITY OF PORTLAND

JEPT OF EIMBOURE WALL COME.

JUN 3 0 1834

MONIFIEST REEDN

FF 263



Mew file

Lyndon FARMS

January 20, 1994 Much. Co

DEPARTMENT OF ENVIRONMENTAL

OUALITY

QUALITY

NORTHWEST REGION

Belozer Farms Lynden Farms P.O. Box 150 Oregon City, OR 97045-0008

# Dear Sir:

It has come to our attention that the City of Portland may be blocking your connection to the sanitary sewer at the Swan Island facility in the near future. Please be advised that no direct discharge to public waters is allowed without a permit from DEQ. It is very unlikely that the DEQ would consider issuing a direct discharge permit for this type of waste, even with wastewater treatment.

If the sanitary sewer is blocked and through this process any wastewater is discharged to public waters, either inadvertently, accidently, or consciously, swift and severe enforcement action will be taken by the DEQ. If you have any questions about this you may contact me at 229-5566.

Sincerely

Charles K. Ashbaker, Manager Water Quality, Source Control

Northwest Region

cka

cc: Lynden Farms
6235 North Basin Ave.

Portland, OR 97217

Greg East, Environmental Services, City of Portland



2020 SW Fourth Avenue Suite 400 Portland, OR 97201-4987 (503) 229-5263 Voice/TDD DEQ-1



Processing Plant, 6135 N. Basin, Portland, OR 97217 General Offices: Belozer Farms, Inc., Oregon City, OR 97045 OF ENVIRONMENTAL QUALITY
RECEIVED

JUL 15 1993

NORTHWEST REGION (503) 285-8313

12 July 93

Department of Environmental Quality Water Quality, Northwest Region 1500 SW First Ave, Suite 750 Portland, Oregon 97201-5884

Re: Annual Report NPDES Storm Water Discharge Permit File No. 107038, DR 003498-3 (REUSED\*

The following data is submitted as required by Storm Water Permit Number 1200-F for annual reporting of discharge monitoring. Samples collection was performed on June 11,1993 at monitoring site No. 1, with a rain event of 30 minutes following two days without rain.

Parameters

Sample Analysis

Permit Limits

6 to 9

10mg/L

PH 7.75

Dil & Grease 4mg/L

Conductivity 270 MHD/cm

BOD 22mg/L

COD 29mg/L

TOC 13mg/L

Ammonia Nitrogen ND < 0.2mg/L

Residual Chlorine ND < 0.05mg/L = Total Suspended Solids 47 mg/L

otal suspended sullus 47 mg/c

Parameters ( Visual Observations )

Color and Foam: No foam was observed during the monitoring period. Color of discharge varied between clear and slight dirty brown.

Oil and Grease Sheen: None observed at monitoring site during monitoring period.

All parameters found to be in compliance.

Sincerely,

Bill monters

Bill Montero Maintenance Supervisor Lynden Farms

cc: Mike McCullaugh Plant Manager Lynden Farms

John Huntington City of Portland



FF 265



Processing Plant, 6135 N. Basin, Portland, OR 97217 General Offices: Belozer Farms, Inc., Oregon City, OR 97045 General Office FAX (503) 656-1840 • Plant FAX (503) 285-6399 • Kent FAX (206) 872-3662 (503) 285-8313

DEPT OF ENVIRONMENTAL QUALITY 26 June RECEIVED

Department of Environmental Quality Water Quality, Northwest Region 1500 S.W. First Ave. Suite 750 Portland, Oregon 97201-5884

JUN 2 9 1993

NORTHWEST REGION

Re: Annual Report NPDES Storm Water Discharge Permit File No. 107038, Or 003498-3

The following data is submitted as required by Storm Water Permit Number 1200-F for annual reporting of discharge monitoring. Sample collection was performed on June 11, 1993 at monitoring site No. 1, with a rain event of 30 minutes following two days without rain.

Sample Analysis Parameters Permit Limits PH 7.75 6 to 9 4mg/L 10 mg/L Oil & Grease Conductivity 270 MHO/cm BOD 22 mg/L COD 29 mg/L TOC 13 mg/L Ammonia Nitrogen L 0.2 mg/L Residual Chlorine 0.05 mg/L Total Suspended Solids 47 mg/L

Parameters (Visual Observations)

Color and Foam: No foam was observed during the monitoring period. Color of discharge varied between clear and slight dirty brown.

Dil and Grease Sheen: None observed at monitoring site during monitoring period.

All parameters found to be in compliance.

Sincerely,

Bill Montero

Maintenance Supervisor Lynden Farms

Bill monters

cc: Mike McCullaugh Plant Manager Lynden Farms





Cc: Walter West, NWK File: Storm Water

Accounting Office: P.O. Box 150, Oregon City, OR 97045 Accounting Phone: (503) 656-6819 • FAX: (503) 656-1840 PT OF Processing Plant: 6135 N. Basin, Portland, OR 97217 Plant Phone: (503) 285-8313 • FAX: (503) 285-6700 Plant Phone: (503) 285-8313 • FAX: (503) 285-6399 Kent FAX: (206) 872-3662

APR 3 0 1993

NORTHWEST REGION

APRIL 20,1993

RENATO C. DULAY OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY 811 SW SIXTH AVENUE PORTLAND, OR 97204-1390

SUBJECT: NOTIFICATION OF COMPLETION OF SWPCP PLAN.

TO WHOM IT MAY CONCERN:

THIS LETTER IS TO NOTIFY THAT ON 2/25/93, BELOZER/ LYNDEN FARMS, 6135 N. BASIN AVENUE, PORTLAND, OREGON COMPLETED OUR STORM WATER POLLUTION CONTROL PLAN.

Marters of the house when a factor of the hold of the ATTACHED IS DOCUMENTATION TO THAT AFFECT FROM OUR CONSULTING ENGINEER, ABIQUA ENGINEER. PLEASE FEEL FREE TO CALL IF THERE ARE QUESTIONS AT 503-285-0326.

SINCERELY,

T.MICHAEL MC CULLAUGH

PLANT MANAGER

cc: JODY BOGDON JIM KLUVER

APR 27 1993 WATER QUALITY DIVISION DEPT. ENVIRONMENTAL QUALITY



AUG 2 6 1992

DEPARTMENT OF
ENVIRONMENTAL
QUALITY

NORTHWEST REGION

Harlan Friedrichsen Belozer Farms Inc 6135 N Basin Avenue Portland OR 97217

Re: NPDES Storm Water Discharge Permit File No. 107038 Multnomah County

Enclosed is your National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. We apologize for the delay in issuing your permit.

Please review the permit carefully. As the permittee, you are required to develop a Storm Water Pollution Control Plan within six months of permit issuance and sample your storm water twice a calendar year. There are also storm water discharge limitations that you are required to meet within a year of receiving your permit. (The date the permit was issued to you is located in the upper left-hand corner of the name and address label on the front page of the permit.)

We request that you monitor your storm water twice in 1992. The two storm water events should be monitored at least 60 days apart. We do not have a special monitoring report for your use. You may submit your data in letter form by July 1 of each year. If there are no rainfall events from which you can collect a sample during any given year, please send us a note by July 1 stating that fact.

Thank you for your patience. If you have any questions about the permit, please contact Walter West at (503) 229-5263, Ext. 269.

Sincerely

Charles K. Ashbaker, Manager

Water Quality, Northwest Region

js

Enclosure

cc: Water Quality Division, DEQ

File



#### SUBM'T APPLICATION TO:

DEPARTMENT OF ENVIRONMENTAL CHATLLA

Business Office 811 S.W. Shah Avenu ertland, OR 97204 (503) 229-6308

# REGISTRATION APPLICATION

#### GENERAL STORM WATER PERMIT

STATE OF OREGON

(Attach additional sheets if necessary.)

OFFICIA	S DEG GSE ONE1
Date Received:	DEC 23 1991
	997142
File No.:	107038

# L FACILITY INFORMATION

FIRM NAME: This name will appear on the permit and must be the legal Oregon corporate name (i.e., Acme Products) or the legal representative of the company if the company operates under an assumed business name (i.e., John Smith, dba Acme Products).

> Belozer Farms, Inc. Name and Address of Owner or Operator.

**Belozer** 

Robert

Lynden Farms 6135 N. Basin Ave.

97217 OR. Portland,

Facility Contact Person:

Harlan Friedrichsen

Mile

B. Site Address if Different than A:

Phone: (503 \_

285-0326

D. Standard Industrial Classification (SIC) Code, Name, and Four Digit Number: Sic Code #0215

E. Other DEQ Permits Currently in Force for the Facility:

Wastewater Discharge Permit #400.090

Site Location:

Latitude:

34

Longitude:

122/ 42 /

## MYYTZ.

Please list the latitude and longitude of the approximate center of the regulated site to the nearest 15 seconds. In addition, attach a map to this application upon which the site location is identified. (For multiple rock pits or gravel mining sites, please attach an additional sheet.)

#### IL STORM WATER DISCHARGE INFORMATION

Briefly describe the various activities which take place at the site which may contribute to the contamination of storm water.

Poultry Processing

- Number of outfalls or channelized flows that run off-your property (as shown on the site map in Part IV):
- Where does storm water discharge to?
  - Municipal Storm Sewer System? No: Yes: X (Name): City of Portland

	• Surface Waterbody? No:
	• Seeps into Ground? No: X Yes: (If "Yes" — Well: Seepage Pit: Pond: Other: )
D.	Has any storm water quality analytical data been collected? No: X Yes: (If "Yes", please attach.)
_	
E.	Describe any storm water treatment and/or control facilities in use: None
F.	The NPDES industrial storm water regulations (40 CFR 122.26) require certification that all storm water outfalls associated with industrial activities have been evaluated for the presence of non-storm water discharges not otherwise covered by an NPDES Permit. Your signature on
للالما	A. VISUAL TUSP. None Per consumation with Mr. Jim Kluver 5/26/92
•	B. Water Quality Anadopsis by Food Quality Malyrist Inc.
G.	If non-storm water discharges were discovered during the investigation required by item F., which are currently not covered by an NPDES permit, please list the wastewater source(s):  None
H.	Have any leaks or spills or other instances of storm water contamination occurred at the facility within the last three (3) years? No: _X_
•	Yes: (If "Yes", describe:)
	III. DISCHARGES OTHER THAN STORM WATER
<u> </u>	An abhar wind distribution of the steam man authority? No. Very V (December)
A.	Are other permitted discharges using any of the storm water outfalls? No: Yes: X (Describe:)  Potable water from cooling towers - no chemical treatment used.
	If so, give NPDES Permit Number? Wastewater Discharge Permit #400.090
	IV. SITE DRAINAGE MAP
A.	Attach a site map which includes the following items.
	Outline of drainage areas served by each outfall.     Areas where activities are, or have been conducted, material stored, or
	<ul> <li>Location of storm discharge outfails.</li> <li>Location of impervious areas.</li> </ul> where spills have occurred which could affect the quality of the storm water.
	• Runoff conveyance structures — storm sewer, ditch, etc. • Facility's property lines.
	V. SIGNATURE
7	HEREBY CERTIFY THAT THE INFORMATION THAT IS INCLUDED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND THERE ARE NO WASTEWATERS BEING DISCHARGED TO THE STORM SEWER SYSTEM WHICH HAVE NOT BEEN IDENTIFIED IN THIS APPLICATION.
_	Robert Belozer Sec/res Lynden
	Name of Owner  (95 Legalty Authorized Representative)
_	Hohut Delege, 12/12/91
	Signature / Date
	Fees in the amount of \$300 are required with this application. (Make your check payable to the Department of Environmental

Fees in the amount of \$300 are required with this application. (Make your check payable to the Department of Environmental Quality.) Unless the DEQ has a Land Use Compatibility statement on file for this facility, one must be filed with this application.

SAMPLING MANHOLE MAP
INDUSTRIAL WASTEWATER MANAGEMENT
CITY OF PORTLAND, OREGON
DEPT OF PUBLIC WORKS
OFFICE OF THE CITY ENGINEE

LYNDEN FARMS (WFA) 6135 N. BASIN AVE. PORTLAND, OR 97217

OFFICE OF THE CITY ENGINEER SIC 2016 1/4 SEC. 2426 DATE 6/2/83 POULTRY DRESSING PLANT - CURVE DATA -2  $\bigcirc$ △ = 34°30'14" \$\triangle = 42\circ 28'00\circ\* € R = 175.00' R = 103.75' I = 32.32' L = 62.66' \$ = 68.00° L = 129.71' LC = 126.76' LC= 61.71' N30°58'20'W N69º 27' 27" E SCALE: 1"=100" △ = 60°00'00" R = 40.00' T = 23.09 PRIVATE L = 41-89' SEWER LC = 40.00' N 67º 45'00"E SAMPLING MANHOLE 7 SAMPLING MANHOLE 6135 N. BASIN AVE

W. RVER